

REPORT ON INSPECTION TO DETERMINE
COMPLIANCE WITH PCB REGULATIONS

NEW PRODUCTS CORPORATION
448 NORTH SHORE DRIVE
BENTON HARBOR, MICHIGAN 49022

JULY 13, 2017

PERFORMED BY:

U.S. ENVIRONMENTAL PROTECTION AGENCY
PESTICIDES AND TOXIC SUBSTANCES BRANCH
77 WEST JACKSON BOULEVARD
CHICAGO, ILLINOIS 60604

PCB COMPLIANCE INSPECTION REPORT

I. OBJECTIVES

The inspection was conducted to document the facility's handling, storage and disposal practices and to determine its compliance with the PCB Regulations, 40 CFR Part 761, as published in the Federal Register of May 31, 1979, and as amended.

II. COMPANY IDENTIFICATION

New Products Corporation
48 North Shore Drive
Benton Harbor, Michigan 49022

RESPONSIBLE OFFICIAL

Cheryl Miller, President, CEO

III. DATE OF INSPECTION

July 13, 2017

IV. PARTICIPANTS

Company

Cheryl Miller, President, CEO
Mark Demorest, Attorney

U.S. EPA

Kenneth Zolnierczyk, Environmental Engineer
Scott Bessler, Environmental Scientist

V. COMPANY BACKGROUND

Modern Plastics Corporation (MPC) was started in 1922 under this name. MPC is a family run business that generates aluminum products for its's customers by utilizing die casting, machining and assembly equipment. The customer base consists of manufacturers from various automotive, industrial and medical health care industries. Melting operations, for generating molten aluminum, is accomplished through 3 gas furnace. Maintaining the molten aluminum is provided by 12 electric furnaces. MPC currently has 100 employees.

VI. INSPECTION SUMMARY

Opening Conference

The inspector(s) met with company officials as indicated in Section II, presented TSCA Inspection Credentials, explained the purpose of the inspection, and presented for signature the TSCA Inspection Forms as indicated below:

- ☒ Notice of Inspection
- ☒ TSCA Confidentiality Notice
- ☐ Receipt for Samples/Documents collected

These documents are enclosed as Attachments 1 and 2 and were signed by Cheryl Miller.

B. Circumstances Applicable to this inspection

- ☐ Disposal ☐ Processing
- ☐ Marking ☐ Distribution
- ☐ Storage ☐ Authorizations
- ☐ Manufacturing ☐ Recordkeeping
- ☐ None of the Above

C. CITATION

- ☒ Not Applicable
- ☐ Citation issued on / /
- ☐ Response received on / /

D. Closing Conference

- ☒ The inspectors explained the three possible outcomes of the inspection and informed the company officials that a final determination and notification would be made by the Regional Office.

VII. SAMPLES/ PHOTOGRAPHS/ DOCUMENTS

☒ None Taken

☐ See Attachments as listed

ATTACHMENTS

1. Notice of Inspection
2. TSCA Inspection Confidentiality Notice

VIII. INSPECTOR'S COMMENTS

☐ Disposal ☐ Marking ☐ Use/Authorizations

☐ Storage ☐ Recordkeeping ☐ Distribution

☐ Manufacturing/Processing ☐ Other

A. Use and Authorizations1. Electrical Equipmenta. Transformers

The facility did have any PCB transformers or PCB contaminated transformers in operation. On the walk through, 3 dry type transformers were located in a single bank..

b. Capacitors

The facility did not have any capacitors in use./The facility did not operate any PCB capacitors.

c. Other Electrical Equipment

The facility did not operate any other large electrical equipment.

B. Hydraulic Equipment

The facility operated their die casting equipment with ethylene glycol. No oil was being used in die casting operations.

C. Heat Transfer Systems

All cooling systems use ethylene glycol.

D. Waste Oil

Waste oil generated is from equipment maintenance and would not likely contain PCBs.

E. Storage

The facility did not have a PCB storage area in use.

F. Disposal

The site demonstrated no history of PCB disposal.

G. Spills

No prior PCB spills were discovered during the inspection.

H. Recordkeeping:

The facility showed no record of PCB equipment that required annual documents.

ATTACHMENTS 1 & 2



US ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460
TOXIC SUBSTANCES CONTROL ACT
TSCA INSPECTION CONFIDENTIALITY NOTICE

1. INVESTIGATION IDENTIFICATION			4. FACILITY NAME
DATE 7/13/17	INSPECTION NO.	DAILY SEQ. NO. 01	New Products Corporation
2. INSPECTOR'S NAME Kenneth Zolnierczyk			5. ADDRESS 448 N. Shore Dr Benton Harbor, MI 49022
3. INSPECTOR'S ADDRESS US EPA LC-85 77 W. Jackson Chicago IL 60604			6. NAME OF CHIEF EXECUTIVE OFFICER Cheryl Miller
			7. TITLE President, CEO

For internal EPA use. Copies may be provided to recipient as acknowledgment of this notice.

TO ASSERT A TSCA CONFIDENTIAL BUSINESS INFORMATION CLAIM

It is possible that EPA will receive public requests for release of the information obtained during the inspection of the facility cited above. Such requests will be handled by EPA in accordance with provisions of the Freedom of Information Act (FOIA), 5 USC 552; EPA regulations issued thereunder, 40 CFR, Part 2; and the Toxic Substances Control Act (TSCA), Section 14. EPA is required to make inspection data available in response to FOIA requests unless the EPA Administrator determines that the data is entitled to confidential treatment, or may be withheld from release under other exceptions of FOIA.

Any or all information collected by EPA during the inspection may be claimed as confidential if it relates to trade secrets, commercial, or financial matters that you consider to be confidential business information (CBI). If you assert a CBI claim, EPA will disclose the information only to the extent, and by means of the procedures set forth in the regulations (cited above) governing EPA's treatment of CBI. Among other things, the regulations require that EPA notify you in advance of publicly disclosing any information claimed as CBI.

A CBI claim may be asserted at any time prior to, during, or after the information is collected. This notice was developed by EPA to assist you in asserting a CBI claim. If it is more convenient for you to assert a CBI claim on your own stationary or by making the individual documents or samples "TSCA confidential business information," it is not necessary for you to use this notice. The inspector will be glad to answer any questions you may have regarding EPA's CBI procedures.

While you may claim any collected information or sample as CBI, such claims are not likely to be upheld if they are challenged unless the information meets the following criteria:

1. Your company has taken measures to protect the confidentiality of the information and it intends to continue to take such measures.

2. The information is not, and has not been, reasonably obtainable without your company's consent by other persons (other than governmental bodies), or by use of legitimate means (other than discovery based on showing of special need in a judicial or quasi-judicial proceeding).
3. The information is not publicly available elsewhere.
4. Disclosure of the information would cause substantial harm to your company's competitive position.

At the completion of the inspection, you will be given a receipt for all documents, samples, and other materials collected. At that time, you may make claims that some or all of the information is CBI.

If you are not authorized by your company to assert a CBI claim, this notice will be sent by certified mail, along with the receipt for documents, samples, and other materials to the Chief Executive Officer of your company within 2 days of this date. The Chief Executive Officer must return a statement specifying any information which should receive CBI treatment.

The statement from the Chief Executive Officer should be addressed to:

Claudia Kress at address
in 3 above

and mailed by registered, return-receipt requested mail within 7 calendar days of receipt of this notice. Claims may be made at any time after the inspection, but the inspection data will not be entered into the TSCA/CBI security system until an official confidentiality claim is made. The data will be handled under EPA's routine security system unless and until a claim is made.

TO BE COMPLETED BY FACILITY OFFICIAL RECEIVING THIS NOTICE
I acknowledge receipt of this notice:

[Signature]

SIGNATURE

NAME
Philip J. Ryan

TITLE
General Manager

DATE SIGNED
7/13/17

If there is no one on the premise who is authorized to make CBI claims for this facility, a copy of this notice and other inspection materials will be sent to the company's Chief Executive Officer. If there is another official who should also receive this information, please designate below.

NAME

TITLE

ADDRESS



US ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

TOXIC SUBSTANCES CONTROL ACT

NOTICE OF INSPECTION

1. INVESTIGATION IDENTIFICATION			3. FACILITY NAME
DATE 7/13/17	INSPECTION NO.	DAILY SEQ. NO. 01	New Products Corporation
2. INSPECTOR'S ADDRESS U.S. EPA LC-85 77 W. Jackson Chicago, IL 60604			4. FACILITY ADDRESS 448 N. Shore Dr. Benton Harbor, MI 49022

For Internal EPA Use. Copies may be provided to recipient as acknowledgment of this notice.

REASON FOR INSPECTION

Under the authority of Section 11 of the Toxic Substances Control Act:

☒ For the purpose of inspecting (including taking samples, photographs, statements, and other inspection activities) an establishment, facility, or other premises in which chemical substances or mixtures, articles containing same are manufactured, processed, stored or held before or after their distribution in commerce (including records, files, papers, processes, controls, and facilities) and any conveyances being used to transport chemical substances, mixtures, or articles containing same in connection with their distribution in commerce (including records, files, papers, processes, controls, and facilities) bearing on whether the requirements of the Act are applicable to the chemical substances, mixtures, or articles within, or associated with, such premise or conveyance have been complied with.

☐ In addition, this inspection extends to (check appropriate blocks):

☐ A. Financial data

☐ D. Personnel data

☐ B. Sales data

☐ E. Research data

☐ C. Pricing data

The nature and extent of inspection of such data specified in A through E above is as follows:

NPC consents to a PCB inspection only.

INSPECTOR'S SIGNATURE <i>Kenneth J. Zolnierczyk</i>		RECIPIENT'S SIGNATURE <i>Philip J. Ryan</i>	
NAME Kenneth Zolnierczyk		NAME Philip J. Ryan	
TITLE Environmental Engineer	DATE SIGNED 7/13/17	TITLE General Manager	DATE SIGNED 7/13/17